

# RECORD OF PROCEEDINGS

0407

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10146

Held Monday, December 14, 7:00 p.m. 20 09

## CALL TO ORDER:

1. The council meeting was called to order Monday, December 14, 2009 at 7:00 p.m. by President of Council Daryl Revoldt.
2. The opening prayer was delivered by Pastor Cara Stultz-Costello, Faith United Methodist Church.
3. All present recited the Pledge of Allegiance.
4. Mr. Revoldt: Thank you. Clerk, would you please call the roll?

The following members of Council responded to roll call: DeOrio, Foltz, Kiesling, Peters, Revoldt and Snyder. Council Member Davies was not present for the meeting. Also present were: Mayor Held, Director of Administration Wise, Director of Law McFarren, Director of Finance Zumar, City Engineer Benekos, Director of Economic Development Bowles, Superintendent of Utilities, Services & Recreation Chufar, Superintendent of Permits & Inspection Hampton, Intern to the Economic Development Department Hrubey and Clerk of Council Kalpac.

Mr. Revoldt: You have for your consideration...

Mr. Snyder: Excuse me Mr. President, may I make a motion please...

Mr. Revoldt: You can but you might be just one step ahead of me but you can go ahead and make it.

Mr. Snyder: Oh I'm trying to excuse Mr. Davies...

Mr. DeOrio: Shouldn't we call the roll first?

Mr. Revoldt: I think we call the roll first.

Mrs. Kiesling: We did, we said it.

Mr. DeOrio: Oh, okay.

Mr. Revoldt: Did we call the roll? Yes, we did...

Mrs. Kalpac: Yes.

Mrs. Kiesling: Yea, you were the first one that said here.

Mr. Snyder: I'd just like to excuse Member Davies...

Mr. DeOrio: It's all this media and ...inaudible...

Mr. Revoldt: Let's just excuse Mr. Davies, we have a motion to...

Mr. Foltz: Second.

Mr. Snyder: There you go. Thank you Mr. President.

Mr. Revoldt: Thank you.

Mr. Snyder moved and Mr. Foltz seconded to excuse the absence of Council Member Davies.

All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, DeOrio.

No: 0

5. Consideration  
 Council Meeting Minutes – November 23, 2009  
 Organizational Meeting Minutes – December 1, 2009  
 Public Hearing Minutes – December 7, 2009  
 Special Council Meeting Minutes – December 7, 2009  
 Financial Statement – November, 2009

Mr. Revoldt: Now I'd like – we have for our consideration minutes of the council meeting of November 23<sup>rd</sup>, minutes from our organizational meeting of the 1<sup>st</sup>, the public hearing held on December 7<sup>th</sup>, special council meeting held on December 7<sup>th</sup> and a financial statement for November. Are there any corrections or amendments to those documents?

Mr. DeOrio: Mr. President, I would move that you approve as submitted.

Mr. DeOrio moved and Mr. Peters seconded to approve the minutes of the council meeting, minutes of the organizational meeting, minutes of the public hearing, minutes of the special council meeting, and the financial statement as submitted. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, Foltz.

No: 0

Abstain: DeOrio.

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## 6. Committee Minutes

Mr. Revoldt: We have committee minutes as well. I would like a motion and a second for minutes from an executive session for Personnel & Safety held on the 23<sup>rd</sup> of November; Community & Economic Development; Finance & Property; Ordinance, Rules & Claims; Street & Alley all held on December 7<sup>th</sup> and then a Personnel & Safety Committee meeting held on the 23<sup>rd</sup> of November and the 7<sup>th</sup> of December. Are there any corrections or amendments to those minutes?

Mr. DeOrio moved and Mr. Peters seconded to approve the committee report and executive session minutes as submitted. All members present voting:

Yes: Peters, Revoldt, Snyder, DeOrio, Foltz, Kiesling.

No: 0

**Community & Economic Development Committee:** Please refer to the minutes on file in the Council Office of the Community & Economic Development Committee meeting held December 12, 2009.

**Executive Sessions (Personnel & Safety Committee):** Please refer to the minutes on file in the Council Office of the Executive Session meetings for Personnel & Safety both held November 23, 2009.

**Finance & Property Committee:** Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held December 7, 2009.

**Ordinance, Rules & Claims Committee:** Please refer to the minutes on file in the Council Office of the Ordinance, Rules, & Claims Committee meeting held December 7, 2009.

**Personnel & Safety Committee:** Please refer to the minutes on file in the Council Office of the Personnel & Safety Committee meetings held November 23, and December 7, 2009.

**Street & Alley Committee:** Please refer to the minutes on file in the Council Office of the Street & Alley Committee meeting held December 7, 2009.

## 7. Voice Vote – Appointment of Jordan Greenwald to the Civil Service Commission January 1, 2010 to December 31, 2015

Mr. Revoldt: Moving on to Item 7, I would like a motion and a second to reappoint Jordan Greenwald to the Civil Service Commission for a term commencing January 1, 2010 and extending, this is like a life sentence, to December 31, 2015.

Mrs. Kiesling moved and Mr. Peters seconded to approve the appointment of Jordan Greenwald to the Civil Service Commission for a term commencing January 1, 2010 and ending December 31, 2015. All members present voting:

Yes: Revoldt, Snyder, DeOrio, Foltz, Kiesling, Peters.

No: 0

Mr. Revoldt: Now, what I'd like to do is amend – can I have a motion to amend our agenda to insert into it a brief committee meeting to consider Ordinance 123-09, which I'd later like to add to the agenda.

Mr. DeOrio moved and Mr. Peters seconded to amend the agenda to include a Finance & Property Committee meeting to consider authorizing supplemental appropriation legislation. All members present voting:

Yes: Snyder, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0

Mr. Revoldt: You have at your places copies of Ordinance 123-09 which will later go on to your agenda as Item No. 21. Mr. Zumbar, would you like to explain the purpose of this ordinance?

Mr. Peters: Mr. President, first that's 122-09. Right?

Mrs. Kiesling: Yea, looking at it ...inaudible...

Mr. Revoldt: It should be 123-09.

Mr. Peters: 123?

Mr. Snyder: Yours will come at a later date but we have 123-09.

Mr. Revoldt: Yea, this one should be 123-09.

Mr. Peters: Alright.

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Mr. Revoldt: But I'm glad you're looking at what I'm doing, appreciate it.  
 Mr. Peters: You're welcome.  
 Mr. Revoldt: Go ahead.

Mr. Zumbar: Mr. President, Council Members, the payroll was posted today and I noticed that several codes in the EMS Fund have been depleted, specifically in the salaries and wages; also, in the stand-by and the overtime accounts. Given that fact I don't think I'm going to have enough in that fund to move to cover the next pay – the final remaining payroll which is going to come up here in the next week or two and as a result that's why I'm asking for these funds to be appropriated in the amount of \$25,000. That should be sufficient to get us through the year.

Mr. DeOrio: I'd put that in the form of a motion.

Mr. Snyder: Mr. President, one thing I'd like read in the record sir if we could, pursuant to – this is that upon concurrence of the Committee, the Finance Committee and the absence of Vice Chairman Davies, he did submit a short statement, "pursuant to Section 115.01(C)(8) of the rules of council. I agree there is sufficient cause to waive the 24 hour meeting notice requirement" so all members of the Finance Committee are in concurrence.

Mr. Revoldt: Okay, very good. We have a motion to have I guess approve this. Is that correct in the committee?

Mr. Snyder: Yes.

Mrs. Kiesling: Second.

Mr. DeOrio moved and Mrs. Kiesling seconded to authorize supplemental appropriation legislation to cover EMS salaries and wages. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0

Mr. Revoldt: Very good. And then – tell you what let me do this right now. Let me have a motion and a second to place this on the agenda, I guess we're going to approve it, and to waive the rules of council requiring a committee report.

Mr. DeOrio moved and Mr. Foltz seconded to amend the agenda to include Ordinance No. 123-09 and to waive the rules of council requiring a committee report. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, DeOrio.

No: 0

#### 8. Recognition of Visitors

Mr. Revoldt: Alright, let's move on then to recognition of visitors. Is there anyone who wishes to address the Council? Please step forward to the microphone, state your name and address.

Chuck Osborne: My name is Chuck Osborne. 307 Fairview Street SE – North Canton, Ohio. I'd like to preface my comments with the statement that this was a presentation I had intended at the November 23, 2009 council meeting. I was blocked from speaking. And I would like to thank President Revoldt for restoring the publics' right speak. Last week the public learned in a November 17, 2009, *Repository* story titled and I quote, "North Canton told to stop dumping debris at Jackson site" end quotes, that the City of North Canton, once again, has been found dumping waste material in violation of the law. According to the report and I quote, "the city has for several years dumped street sweepings and construction dirt on parcels along Freedom Avenue NW. The property is next to the city's water treatment plant...." I might add there's been a second site that is also involved in the dumping on South Arlington. An EPA email indicates that the waste material included catch basins' cleanings and that the dumping took place on a two to three acre wetland on private property. How could this happen? It was ten years ago that the city learned of the damage it had inflicted on its own Dressler Well Field with dumping practices dating back to the 1980's. This resulted in an EPA mandated cleanup of the property costing approximately \$500,000. Mayor Held, you were the city administrator at that time and as administrator you handled the cleanup for the city. And in an April 5, 2002, *Repository* story titled and I quote, "PCB's found in Dressler Road Well Field," end quotes, your photograph appeared with the story showing you standing in the midst of all the excavation at the well

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field. Here is a color picture. Inaudible... then City Administrator Mayor Held standing out there in the mud with the excavations ongoing. After going through that experience in your first few months on the job in 2002 and seeing the expenditure of nearly one half million dollars of public funds to abate the damage from the dumping done by city employees, didn't that experience make an indelible impression in your life on the proper disposal of waste material? Why then as city administrator did you not put into place proper methods for the disposal of all wastes generated by the city? Why hasn't the city's current city administrator, Earle Wise, taken action to stop the continued practice of dumping solid waste? Mr. Wise, you are an attorney and surely you are knowledgeable of the city's operations, past and present, and what is acceptable or not acceptable. Each of you should be capable of seeking out answers to questions you have to issues that present themselves to you on a daily basis. I do not expect either of you to know everything but I do expect you to be able to seek the correct answers when called upon to do so. Mayor Held, I believe you and the City Administrator have failed in this regard and as a result the city could very well incur expenses to the tune of several hundred thousand dollars for the abatement of the illegal dumping. Furthermore, the city could be exposed to lawsuits from the landowners who agreed to this illegal practice not to mention the harm you have inflicted on the city's image and reputation. Can you imagine a municipality inducing landowners in an illegal scheme to dump solid wastes? For what purpose does the city continue to dump? Actions such as these only serve to soil North Canton's reputation and diminish the stature of those involved. Mayor Held, as Director of the Joint Solid Waste District for Stark, Tuscarawas and Wayne counties since July of 2004, I am astounded that you are unaware of the consequences of the illegal dumping and that you have failed to take any leadership position on this issue. When you were first sworn in as Mayor you had already served six months as the Director of the Solid Waste District. Why have you not used your insight as Director of the Solid Waste District to the benefit of North Canton to spare the city the embarrassment of this revelation not to mention the tremendous cost that taxpayers will ultimately bear for the cleanup? In a North Canton *Sun Journal* report – *Journal* report dated March 3, 2001, titled and I quote, "Report that spill," closed quotes, the paper reports on the purchase of a dozen signs by the city that will be and I quote "prominently displayed near the city's well fields to remind residents to take an active role in protecting the city's drinking water. The signs tell people to call 9-1-1 if they see or have knowledge of a spill that could contaminate the ground near a well field" closed quotes. North Canton Water Superintendent Rich Steinhebel is quoted in the article as stating and I quote, "the signs are to make people aware of the wells and they send a message to people to take responsibility." One would think that city officials would have enough reminders of the need to protect water resources but on August 14, 2002 I felt compelled to address the issue when I was a councilman. My letter addressed to the former Mayor Tom Rice and copied to City Administrator David Held states and I quote, "I am writing to you to ask that the city's Street Department stop the practice of washing the city's street sweeper on the grounds of the city's Water Treatment Plant. While on a recent visit to North Canton's Water Treatment Plant, I observed the cleaning of the city's street sweeper on the grounds of the Water Treatment Plant. In close proximity was a production well supplying raw water to the treatment plant. The street sweeper had just come from dumping its collection of debris and in quotes I've got "location unknown", and how pathetic that was, and with the truck's rear gate open and its dump bed elevated, the driver hosed out any remaining dirt and debris onto the grounds of the treatment plant. All of this was happening in close proximity to a water well field and within the perimeter of the security fence of the Water Treatment Plant." I continue, "this is not the kind of activity that should occur on the grounds of North Canton's Water Treatment Plant and seems to run counter to the message on the Drinking Water Protection Area signs that are posted near all the city's well fields. Whether there is any possibility of water contamination from this is irrelevant. The city's Street Department should utilize an approved area for the cleaning of its street sweeper. All refuse from the city's street sweeper should be properly disposed of including the rinse water used in the cleaning process. Let me state that one again because that was really pathetic, all refuses of the city's street sweeper should be properly disposed of including the rinse water used in the cleaning process. This kind of activity does not send a good message to the public nor does it show that North Canton is serious about running a model water treatment facility. I trust that you want to protect North Canton's Water Treatment Plant as well as its water resources and will act promptly to correct this situation. Mayor Held, my letter of seven years ago apparently did not make an impact on you. Clearly, the North Canton City Administration has not taken responsibility nor have city department heads and supervisors. I believe there is a systemic reason for that and that is the fact that city employees are concerned about retaliation. The city's dumping practices have been well known for decades and that information came out in the investigation of the contamination of the Dressler well field. For this reason, I am asking that city council pass "whistleblower" legislation to protect any and all city employees who want to report illegal activity or any activity that is harmful to the city and the community at large. In a related topic, I have learned that in the last four years there has been a great deal of turnover at the city's Water Treatment Plant and this council must investigate the reasons for the turnover. I am in contact with several past employees and they all tell a similar story. Why would anyone leave a coveted position with the City, making in excess of \$40,000, in a dismal economy? The lack of leadership from the mayor, the city administrator and city supervisors has left good employees with no support when they report wrongdoing or illegal activities. I ask that a complete and independent investigation be undertaken to root out the reasons for the high employee turnover and that procedures be put in place to improve management of city employees. I also urge that job

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descriptions be written along with minimum job qualifications. At a minimum, the position of Water Department Superintendent should specify a four year degree in chemistry or a related field of science. The citizens of North Canton deserve much better leadership than what we are seeing. This council wants to improve North Canton economically but if there is no leadership and no management for its employees, your efforts will all be in vain. The law decided by the Stark County Health Department has been on the books for fifteen (15) years. There is no reason for the city to have ignored it. Frankly as a former councilman and a resident of this city, I would of thought when Dressler exploded on the scene in 1999 and during the cleanup in 2002 that there would have been a top to bottom evaluations of all of our waste disposal practices. Maybe a performance audit was in order then. I won't go beyond on that at this point. I thank you for letting me read what I intended to bring to council three weeks ago.

Mr. Revoldt: You're welcome. Is there anything else you'd like to add?

Mr. Osborne: I'm not going to belabor the point. I think the message is slowly getting out there. Thank you very much.

Mr. Revoldt: Mr. Osborne, the Director of Law has comment for you.

Mr. Nilges: Well perhaps it won't be a popular advice but none the less I would – I understand, I heard all the points that you raised and I hope you understand that although we disagree with perhaps some of – many of those points this is unfortunately not the time or place to get into a point counterpoint kind of debate on this issue. Appreciate that this – that you asked that this to - for this to be addressed promptly and appropriately. I can assure you that is. I can give you this one piece of good news though, you asked for whistleblower protection legislation, at the request of President Revoldt that has already been drafted and will be presented shortly.

Mr. Osborne: I'm very glad to hear that and I hope there is an independent outside investigation to totally tally what has transpired.

Mr. Nilges: What I can assure you is this is being addressed promptly and appropriately and thoroughly. There's been a lot of work already done. There's going to be a lot of work to do. But this is being addressed promptly and appropriately. And that's really all we can get into right now.

Mr. Osborne: That's fine. I put a great deal of work into this myself. Thank you very much.

Mr. Revoldt: Thank you sir. Is there anyone else who wishes to address the council this evening about this or any other matter? Seeing none then let us move on to old business. May I have a motion to read by title only, third reading of Ordinance 107-09?

## OLD BUSINESS:

9. Mrs. Kiesling moved and Mr. DeOrio seconded to **read by title only, third reading of Ordinance No. 107-09.**

Mr. Nilges: Ordinance No.

Mr. Revoldt: Wait a second, we're going to have a vote here real quick.

Mrs. Kalpac: Should it be 79-09? Did I do that wrong?

Mr. Revoldt: I've got 107.

Mrs. Kalpac: Oh okay, you are right. I'm sorry.

Mr. Revoldt: You know this is a red letter day if I'm right sitting in this chair.

Mrs. Kalpac: I'm sorry.

Mr. Revoldt: We have a motion and a second to read by title only, third reading of Ordinance 107-09. And the Clerk will now call the roll.

All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, DeOrio, Foltz.

No: 0

## **Ordinance No. 107-09 – 3<sup>rd</sup> Reading – Community & Economic Development**

An ordinance implementing Section 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of a Community Reinvestment Area in the City of North Canton, designating a Housing Officer to administer the program, creating a Community Reinvestment Housing Council and a Tax Incentive Review Council.

Mr. Revoldt: Mrs. Kiesling.

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Mrs. Kiesling: Yes, this is our third and final reading combining our two CRA areas into one big area. Thank you Matt for all your work. We finally got this put together over the summer and we're excited to give it its last reading. I motion we accept.

Mrs. Kiesling moved and Mr. Peters seconded to **adopt the third reading** of Ordinance No. 107-09.

Mr. Revoldt: Clerk, before you call the roll let the record reflect that Matt has done a terrific job assembling this data. And the citizens at some juncture may look back on this and wonder how it all happened. It came out of Mount Union College and through intern support and we are grateful for the really terrific effort that you put in on this project. Clerk you may call the roll.

All members present voting:

Yes: Peters, Revoldt, Snyder, DeOrio, Foltz, Kiesling.

No: 0

## NEW BUSINESS:

10. Mr. Revoldt: Moving on to new business, have a motion to read by title only, first reading Ordinance 112-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 112-09. All members present voting:

Yes: Revoldt, Snyder, DeOrio, Foltz, Kiesling, Peters.

No: 0

**Ordinance No. 112-09 – 1<sup>st</sup> Reading – Ordinance, Rules, & Claims**

An ordinance prohibiting the keeping, harboring or permitting of an excessive number of live chickens within the City of North Canton and declaring the same to be an emergency.

Mr. Revoldt: Go ahead ...inaudible...

Mr. DeOrio: May we have a little discussion first?

Mr. Revoldt: Yes.

Mr. DeOrio: Okay. All the commotion I'm kind of losing track of where we're at here. Okay, I've been looking at this you know I guess from the devil's advocate point of view to try to make sure that everything in here is exactly what we want. I wasn't the biggest fan of the ordinance as it started, it's getting a lot better and you know so I just want to point out a couple things that maybe we could consider between now and ...

Mrs. Kiesling: The third reading?

Mr. DeOrio: the next time, yes, we bring it up. And maybe the Law Director could look at these considerations. But in Section 4 of this ordinance it says, "...that a person is permitted to keep, harbor or permit four or less live chickens if the chickens are (1) at all times kept securely enclosed in a yard or pen of at least twelve square feet that is cleaned on a regular basis to prevent the accumulation of animal waste...." And my question is in regards to that is it says that the chickens are to be kept at all times.

Mr. Revoldt: Yes.

Mr. DeOrio: At all times in a pen?

Mr. Revoldt: Yes.

Mr. DeOrio: In a yard?

Mr. Revoldt: Yes.

Mr. DeOrio: Not in a garage? Not inside? But at all times in a pen.

Mr. Nilges: Correct.

Mrs. Kiesling: Well they'll freeze to death.

Mr. DeOrio: They would freeze to death in the winter if they're to be kept at times.

Mr. Nilges: Understood.

Mr. DeOrio: If it said when outside they are to be kept at all times in a pen.

Mr. Revoldt: Okay, alright.

Mr. Nilges: That makes sense.

Mr. DeOrio: In the point after that that is doubly labeled Section 4 so we would need to – the Clerk need to renumber that. But it says no person shall slaughter any chicken outdoors. Do we really want anybody slaughtering chickens indoors?

Mr. Nilges: Absolutely. That's a ...

Mr. DeOrio: Absolutely not?

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Mr. Nilges: No, that's a policy decision for the council to consider.

Mr. DeOrio: Well and my question is I mean what do they do with the stuff after they slaughter them. I can remember stories that my grandmother told me when she was a little girl and how they did that. That was part of growing up that you had to do that. And you know I just have a feeling that all that stuff would just be poured down the drain and I didn't know if that was an issue that we wanted to talk to our water superintendent about. But I don't really want us slaughtering chickens anywhere but...

Mr. Revoldt: Okay.

Mr. DeOrio: that would be a consideration. And then when it talks about that it's strictly for personal use. I'd like to get a little tighter if it's possible in definition of personal use because could that be construed to include I'm going to raise these chickens and I'm going to – I'm not going to sell them or I am going to slaughter them and I'm going to give them to all my the chicken to my extended family. And the next thing you know we've got a little bit more going on here than I think that we've intended. Which then you know brings me to the, if I was being a devil's advocate that I am I guess and you probably didn't think we were going to talk this much about this issue tonight, but if I'm limited to four chickens and I can keep the chickens indoors, how are you going to know if there's a difference between the four chickens. I could have eight chickens and I just let them out four at a time; I mean if there's four if they're white chickens. Which gets me to where I really am going is to come up with an enforcement issue. I mean who – are we going to be able to enforce this? Are we going to go out there and do this? And as long as they just leave four chickens out at a time I mean they could have a whole coop in their garage. So I'm not here offering a lot of answers I know but these are things that I'd like to figure a way to make it a little bit more stringent because I don't think we really want the chickens but...

Mr. Revoldt: We're trying to find a compromise.

Mrs. Kiesling: We're trying...

Mr. Revoldt: With those who dislike chickens and those who love them in an urban environment.

Mr. DeOrio: Okay.

Mr. Revoldt: Okay, let's – are there any other questions or comments? If there are none, Clerk would you please place Ordinance 112-09 on our next committee agenda...

Mr. DeOrio: Thank you Mr. President.

Mr. Revoldt: for discussion. And if I might then ask for a motion to adopt Ordinance 112-09 as imperfect as it is.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 112-09. All members present voting:

Yes: Snyder, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0

Mr. Revoldt: And again, for the ladies and gentlemen of the press the purpose of giving this one reading this evening is to allow for input in this matter from interested parties where we will reconsider this and look for some additional dialogue. Moving on then to Item 11, a motion to read by title only, first reading of Ordinance 113-09.

11. Mr. Peters moved and Mr. DeOrio seconded to **read by title only, first reading** of Ordinance No. 113-09. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0

## **Ordinance No. 113-09 – 1<sup>st</sup> Reading – Personnel & Safety**

An ordinance authorizing the Mayor, Director of Administration and Personnel & Safety Committee of North Canton City Council to enter into a Collective Bargaining Agreement between the City of North Canton and the Ohio Patrolmen's Benevolent Association ("OPBA") Full-Time Dispatchers / Chief Dispatcher, repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

Mr. Peters: Yes, this is the final step in the collective bargaining agreement. We basically agreed by not taking action on it we've agreed to it part and parcel. It just gives the administration the opportunity to enter into it. So any questions? With that I motion that we adopt.

Mr. Peters moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 113-09. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0

Mr. Revoldt: May I have a motion to suspend the rules for Ordinance 113-09?

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Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 113-09. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, DeOrio.

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 113-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 113-09. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, DeOrio, Foltz.

No: 0

12. Mr. Revoldt: Moving on to Item 12, may I have a motion and a second to amend Ordinance 114-09 amending Chapter 155 Personnel Regulations, specifically Section 13. HOSPITALIZATION, MEDICAL INSURANCE, DENTAL, OPTICAL & PRESCRIPTION DRUG PROGRAM only.

Mr. Peters moved and Mr. DeOrio seconded to **amend Ordinance 114-09 amending Chapter 155 Personnel Regulations, specifically Section 13. HOSPITALIZATION, MEDICAL INSURANCE, DENTAL, OPTICAL & PRESCRIPTION DRUG PROGRAM only.** All members present voting:

Yes: Peters, Revoldt, Snyder, DeOrio, Foltz, Kiesling.

No: 0

Mr. Revoldt: May I have a motion to read by title only, the first reading of Ordinance 114-09 as amended and this...

Mr. Peters moved and Mr. DeOrio seconded to **read by title only, first reading, as amended,** Ordinance No. 114-09.

Mr. Revoldt: would be under Section 4(1), it's been moved and seconded.

All members present voting:

Yes: Revoldt, Snyder, DeOrio, Foltz, Kiesling, Peters.

No: 0

## **Ordinance No. 114-09 – 1<sup>st</sup> Reading – Personnel & Safety**

An ordinance amending Chapter 155 Personnel Regulations of Part One-Administrative Code of the Codified Ordinances of the City of North Canton, specifically Section 13. HOSPITALIZATION, MEDICAL INSURANCE, DENTAL, OPTICAL & PRESCRIPTION DRUG PROGRAM, for the exempt personnel of the City of North Canton, and declaring the same to be an emergency.

Mr. Peters: Okay, yea, this is just getting the exempt personnel inline with the increase in health care contribution. There's going to be something we're going to touch on later on with another unit. Any questions? With that I motion that we adopt.

Mr. Revoldt: And the – excuse me, the reason that we're doing this is bring it into compliance for the start of the new year for the medical side.

Mr. Peters: Yea.

Mr. Revoldt: We've got other issues but we need to get this in place for January 1 and the new health plan and year.

Mr. Peters: Yea, we're touching on another one was it 122-09?

Mr. Revoldt: Yes. So we have a motion and a second?

Mr. DeOrio: I'll second Mr. Peters' motion.

Mr. Peters moved and Mr. DeOrio seconded to **adopt the first reading, as amended,** of Ordinance No. 114-09. All members present voting:

Yes: Snyder, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0

Mr. Foltz: I have one point if I may.

Mr. Revoldt: You may.

Mr. Foltz: If you go back to the draft and I just caught this, Section 13. is the hospitalization we just discussed we also have life insurance in Section 13 also so we'll have to make sure numerically we make those changes.



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Mr. Revoldt: Okay. Please note that Clerk.

Mr. Foltz: Because you know every following section will increase numerically.

Mr. Peters: Inaudible...

Mr. Foltz: Okay.

Mr. Peters: Thank you Doug.

Mr. Revoldt: Thanks Doug. Any other questions or comments? May I have a motion then to suspend the rules for Ordinance 114-09 as amended?

Mr. DeOrio moved and Mr. Peters seconded to **suspend the rules, as amended**, for Ordinance No. 114-09. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 114-09.

Mr. DeOrio moved and Mr. Peters seconded to **adopt under suspension of the rules, as amended**, Ordinance No. 114-09. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, DeOrio.

No: 0

13. Mr. Revoldt: Item 13, a motion to read by title only, first reading of Ordinance 115-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 115-09. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, DeOrio, Foltz.

No: 0

## **Ordinance No. 115-09 – 1<sup>st</sup> Reading – Street & Alley**

An ordinance authorizing the vacation of a portion of Alley No. 26, situated approximately 131.45 feet south of 6<sup>th</sup> Street NE and running in an east-west direction approximately 448.65 feet having Orchard Avenue NE as the western terminus and Park Avenue NE as the eastern terminus, and located within the corporate limits of the City of North Canton.

Mr. Revoldt: Mr. DeOrio.

Mr. DeOrio: Yes, as you recall this was subject to a public hearing that we held. And we had heard from the councilman in that ward that he is in concurrence with the residents' wishes. And I would move for passage of Ordinance No. 115-09.

Mr. DeOrio moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 115-09. All members present voting:

Yes: Peters, Revoldt, Snyder, DeOrio, Foltz, Kiesling.

No: 0

14. Mr. Revoldt: Moving onto Item 14, a motion to read by title only, first reading of Ordinance 116-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 116-09. All members present voting:

Yes: Revoldt, Snyder, DeOrio, Foltz, Kiesling, Peters.

No: 0

## **Ordinance No. 116-09 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance to make temporary appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2010 and ending December 31, 2010 and declaring the same to be an emergency.

Mr. Snyder: Mr. President, Members of Council, in order to give us additional time to review the Mayor's budget, we're asking that we adopt on an emergency basis, a temporary budget so that we can continue to pay the employees, keep the lights on, pay the heat through the first part of the year. For hopefully in the past couple of years it's been sometime mid-February to early March that we did complete the budget hearings and were able to adopt the permanent budget. That being said you've been given a copy of the temporary budget and what it entails and the amounts of money requested by the Administration to fund those departments. That's it sir.

Mr. Revoldt: Any other questions or comments?

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Mr. DeOrio moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 116-09. All members present voting:

Yes: Snyder, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 116-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 116-09. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 116-09.

Mr. DeOrio moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 116-09. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, DeOrio.

No: 0

15. Mr. Revoldt: Item 15, a motion to read by title only, first reading of Ordinance 117-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 117-09. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, DeOrio, Foltz.

No: 0

## **Ordinance No. 117-09 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Permit Fee Fund to the State Building Permit Fees Account in the amount of \$500 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.

Mr. Snyder: Mr. President, Members of Council, again, this is a particular line item that we need to pay to the State, it has to be paid by the 31<sup>st</sup> of December of this current year. The Finance Director has estimated it to be a \$500 expense and we are appropriating said monies to wipe out that line item.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 117-09. All members present voting:

Yes: Peters, Revoldt, Snyder, DeOrio, Foltz, Kiesling.

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 117-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 117-09. All members present voting:

Yes: Revoldt, Snyder, DeOrio, Foltz, Kiesling, Peters.

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 117-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 117-09. All members present voting:

Yes: Snyder, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0

16. Mr. Revoldt: Item 16, a motion to read by title only, first reading of Ordinance 118-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 118-09. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0

## **Ordinance No. 118-09 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the General Fund to the Salaries & Wages – Dispatcher Account in the amount of \$50,000 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.

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Mr. Snyder: Mr. President, Members of Council, as you know when we adopted the permanent budget last February, end of February, we were aware of the fact and we did so state for the record that we would not fund the salaries account for dispatching through the complete year not knowing how the tax levy would pass, how it would impact our actual funding. This will allow the continuation through the end of the year for the payment to the people that are on our ...inaudible... dispatchers and provide the funding for said.

Mr. DeOrio moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 118-09. All members present voting:

Yes: Foltz, Kiesling, Peters Revoldt, Snyder, DeOrio.

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 118-09.

Mr. DeOrio moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 118-09. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, DeOrio, Foltz.

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 118-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 118-09. All members present voting:

Yes: Peters, Revoldt, Snyder, DeOrio, Foltz, Kiesling.

No: 0

17. Mr. Revoldt: Item 17, a motion to read by title only, first reading of Ordinance 119-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 119-09. All members present voting:

Yes: Revoldt, Snyder, DeOrio, Foltz, Kiesling, Peters.

No: 0

#### **Ordinance No. 119-09 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the General Fund to the Salaries & Wages – School Patrol Account in the amount of \$20,000 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.

Mr. Snyder: Mr. President, Members of Council, again, when we passed the budget it was with the intention of the school participating in the cost of the school patrol which they've committed to pay us \$20,000. However, we have not received that money as to date which we anticipate coming some time within the next few weeks. However, that salary account has now been depleted and in order to fulfill our obligations and pay the salaries we must transfer that money temporarily into the account and then it will be transferred back to the reserves.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 119-09. All members present voting:

Yes: Snyder, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 119-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 119-09. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 119-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 119-09. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, DeOrio.

No: 0

18. Mr. Revoldt: Item 18, a motion to read by title only, first reading of Ordinance 120-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 120-09. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, DeOrio, Foltz.

No: 0

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**Ordinance No. 120-09 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing declarations of official intent under U.S. Treasury regulations with respect to reimbursements from proceeds of bonds, notes or other obligations temporary advances made for payments prior to issuance, and related matters, and declaring an emergency.

Mr. Snyder: Mr. President, Members of Council, this is simply a mechanism for us to recapture the money that we advance prior to the actual borrowing or issuance of bonds for municipal projects that we intend to proceed with, i.e. the Main Street Project. Any monies that we've previously advanced we have now a mechanism that will be in place that we can recapture that money back from using the proceeds from either the borrowed or bond money.

Mr. DeOrio: Mr. President, I would move for passage of Ordinance No. 120-09.

Mr. Revoldt: Do we have a second?

Mrs. Kiesling: Second.

Mr. Revoldt: It has been seconded by Mrs. Kiesling.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt the first reading** of Ordinance No. 120-09. All members present voting:

Yes: Peters, Revoldt, Snyder, DeOrio, Foltz, Kiesling.

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 120-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 120-09. All members present voting:

Yes: Revoldt, Snyder, DeOrio, Foltz, Kiesling, Peters.

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 120-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 120-09. All members present voting:

Yes: Snyder, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0

19. Mr. Revoldt: Item 19, a motion to read by title only, first reading of Ordinance 121-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** of Ordinance No. 121-09. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0

**Ordinance No. 121-09 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance adopting the Capital Asset Policy for the City of North Canton, Ohio, and declaring the same to be an emergency.

Mr. Snyder: Mr. President, Members of Council, again, this is a general housekeeping thing we want to clear up before the end of the year. At present we capture all capital assets on our general ledgers which are cumbersome both to the Finance Department and to the particular operation managers of the department. They'll continue to capture them at their level. However, they will not be placed on our general ledger unless the aggregate amount I think is what \$5,000 or more. So anything less than \$5,000 will not be listed on the – and this again is when they issue the CAFR (Comprehensive Annual Financial Report) at the end of the year it cuts down on the actual cost of producing the document. However, we do have a running list of everything from \$1.00 through \$5,000.

Mr. DeOrio moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 121-09. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, DeOrio.

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 121-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 121-09. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, DeOrio, Foltz.

No: 0

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Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 121-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 121-09. All members present voting:

Yes: Peters, Revoldt, Snyder, DeOrio, Foltz, Kiesling.

No: 0

Mr. Revoldt: May I have a motion to place on the agenda what in effect is Item 20, Ordinance No. 122-09 and to waive the rules of council requiring a committee report.

Mr. DeOrio moved and Mr. Peters seconded to **amend the agenda to include Ordinance No. 122-09 and to waive the rules of council requiring a committee report.** All members present voting:

Yes: Revoldt, Snyder, DeOrio, Foltz, Kiesling, Peters.

No: 0

20. Mr. Revoldt: May I have a motion to read by title only, first reading of Ordinance 122-09?

Mr. DeOrio moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 122-09. All members present voting:

Yes: Snyder, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0

## **Ordinance No. 122-09 – 1<sup>st</sup> Reading – Personnel & Safety**

An ordinance authorizing the Mayor, Director of Administration and Personnel & Safety Committee of the North Canton City Council to enter an Agreement by and between the City of North Canton and the North Canton Professional Firefighter and Paramedic Association, IAFF Local 3489 to implement the changes in the group health insurance that will become effective on December 1, 2009 and January 1, 2010 and declaring the same to be an emergency.

Mr. Revoldt: Jeff.

Mr. Peters: Excuse me...

Mr. Revoldt: Jeff, I'm sorry.

Mr. Peters: That's okay. Basically it's the same thing we did with the exempt ordinance. We're getting the health care contribution limit in line before the end of the year. And that's about it. Any questions? Alright, with that I motion to adopt 122-09.

Mr. Peters moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 122-09. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 122-09.

Mr. DeOrio moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 122-09. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, DeOrio.

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 122-09.

Mr. DeOrio moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 122-09. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, DeOrio, Foltz.

No: 0

21. Mr. Revoldt: We now move on to Item 21, our final piece of legislation this evening. A motion to read by title only, first reading of Ordinance 123-09.

Mr. DeOrio moved and Mr. Peters seconded to **read by title only, first reading** of Ordinance No. 123-09. All members present voting:

Yes: Peters, Revoldt, Snyder, DeOrio, Foltz, Kiesling.

No: 0

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: Don't we have to read it?

Mr. Revoldt: Oh yea...

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## Ordinance No. 123-09 – 1<sup>st</sup> Reading – Finance & Property

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the EMS Fund to the Salaries & Wages Account in the amount of \$25,000 for the current expenses during the fiscal year ending December 31, 2009, and declaring the same to be an emergency.

Mr. Snyder: Mr. President, Members of Council, as we discussed earlier prior to the beginning of this arduous meeting we've had that we need to transfer \$25,000 as the account has been depleted to pay the wages of standby wages and overtime for the EMS Department. We're presently about 12 or 14,000 short. This should take us right through the end of the year without any problems.

Mr. Revoldt: Question or comment? Seeing none then a motion to adopt the first reading of Ordinance 123-09. May I have one?

Mr. DeOrio moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 123-09. All members present voting:

Yes: Revoldt, Snyder, DeOrio, Foltz, Kiesling, Peters.

No: 0

Mr. Revoldt: Motion to suspend the rules for Ordinance 123-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 123-09. All members present voting:

Yes: Snyder, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 123-09.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 123-09. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0

## REPORTS:

Mr. Revoldt: Reports – Director of Law.

Mr. Nilges: None.

Mr. Revoldt: Director of Finance.

Mr. Zumbar: Yes. Council members, I did distribute to you this evening the "Election to Participate" documentation. If you would do me a favor and please fill it out accordingly. Checkmark the top box which says "health insurance plan", sign it and get it back to my office no later than December 31<sup>st</sup>. I need to have this on file. If you have any questions on it feel free to call my office, ask for me or Peggy and we'll help you fill the form out if you need some assistance.

Mr. Revoldt: Director of Administration.

Mr. Wise: Yes, two items. I mentioned at the last council meeting that there are D.A.R.E. graduations coming up over the last two weeks. Those did go very well. The D.A.R.E. Program was typically part of the schools were in the fall, part of the schools were in the spring. We did all of the schools in the fall. That allows us to have Officer Mike who does the D.A.R.E. Program back full-time in the Police Department the rest of the year and that worked out very well. We appreciate your support on the D.A.R.E. Program. Also, just one item coming up here the first week in January, the North Canton Area Chamber of Commerce is having their annual dinner Thursday, January 7, 2010. There's a social hour at 6:00 p.m., dinner is at 7:00 p.m. That's at Barrett Center at Walsh University. Tickets are \$45.00. Thank you.

Mr. Revoldt: Mr. Mayor.

Mayor Held: Yea, I've got three items. The first is I wanted to remind the members of council and our residents that sometime by the end of January, The Schroer Group (Altercare) which owns three separate companies - they should be in place and working in the City of North Canton over at the Hoover Facility; so that's very good news. As long the construction continues at the pace that it's going, we'll have 250, approximately 250 new jobs in place at the beginning of the year and there's hope that over the next 18 months that they'll add 50 jobs. So we're very excited about that very good news. And also, we had the Christmas sing which went very well this past week. And it's televised on Channel 3 so those of you that couldn't attend and that are home you can watch it on Channel 11. And also, I need to address the comments that were made at the public speaks. You know one thing that really, really hit me is that the City of North Canton has reduced their work force by nearly twenty

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(20%) percent over the past four years. We've got – had seven managers and since then they've retired and we got it down to three. Those fellows work on a salary, they don't get overtime and when there's a water main break in the middle of the night they get up while everybody else is sleeping to fix the water main break. When the snow plowing, just as we had early Sunday morning, street salting, they're up, no overtime, serving the City. And a lot of these guys have been through a real rough time over the years while working here, a real rough time. And it's because they have a desire to do what is right for the residents and the people of this city. While people are working during the day, while people are sleeping at night, these fellows are the ones that are responsible to serve and protect the city. And I'm going to tell you personally that I think they are some of the finest men that I've ever met. They operate with the highest degree of integrity. They work at the pleasure of the Mayor. They've worked not only at the pleasure of this Mayor, but previous mayors, some up to three years. And I can tell you that I would put our work force and our management up against any in the State of Ohio. And so with that I think that sometimes you know when we go throughout our day we forget it's not myself that runs the city, it's the people, it's the employees. And Rich Steinhebel, absolutely one hundred (100%) percent integrity, I can't say enough about him; Tom Chufar, Earle Wise, Jim Benekos, Eric Bowles. So again, I just want to remind everybody that they do work extremely hard, they don't get overtime and they do it because they have the heart to serve other people rather than themselves. So that's all I have to say but thank you.

Mr. Revoldt: Thank you Mayor. Mr. Benekos.

Mr. Benekos: No report.

Mr. Revoldt: Mr. Bowles.

Mr. Bowles: I just to remind Mayor and Council that the two-year appointments or reappoints for the North Canton Community Corporation are coming up. The appointments are generally for two year terms and generally I ask for either reappoints or appointments prior to the January annual meeting of the CIC. So I'll be sending notes out. Currently Randy Smith is the appointee for City Council and for the Mayor it's Peter Volas and David Tate. End of report.

Mr. Revoldt: Thank you. Clerk.

Mrs. Kalpac: No report.

## REPORTS – COUNCIL:

Mr. Revoldt: Mr. Foltz.

Mr. Foltz: Couple things. One I wanted to – I don't know if it was Thursday after the Browns' victory but I was up late and I was flipping through – channel surfing and I caught Channel 11 and caught a nice interview with Eric Bowles and Doug Lane. I forget the name of the program but I didn't fall asleep when I started watching it. So Eric, you did a great job and really explained all our economic and business opportunities that are forthright coming to the city, so we're very excited about that. So, nice job with Doug Lane putting your best foot forward there. So I wanted to compliment you on that. The only thing I have is there was a picture on the door and I don't know who knows who this is, Cindy with a number 60 – happy birthday #60. Does anybody know who that is?

Mr. Snyder: Cindy Rose.

Mrs. Kalpac: Cindy Collins.

Mr. Foltz: Cindy Rose from the city.

Mr. Snyder: Oh, Cindy Collins.

Mr. Foltz: Okay. Just to clear that up so happy birthday to her. Other than that is this the last meeting of the year?

Mr. Revoldt: I believe it is.

Mr. Foltz: Okay unless there's some type of emergency situation.

Mr. Revoldt: Unless I want to get coal from the Clerk.

Mr. Foltz: Yea, Gail needs a break that's for sure. She's been – and I wanted to compliment Gail also, she's done a great job by herself for the most part. I know she has some help answering the phone and doing some other tasks but Gail's always done a wonderful job so I wanted to compliment you Gail on the record...

Mrs. Kalpac: Thank you.

Mr. Foltz: and thank you for your hard work...

Mrs. Kalpac: Thank you.

Mr. Foltz: while we look to help with your process next year. That's all thank you.

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Mr. Revoldt: Mr. Peters.  
Mr. Peters: No report.

Mr. Revoldt: Mr. DeOrio.

Mr. DeOrio: Yes, Mr. Benekos, could you refresh my memory? What is the plan then for North Main Street when they get done with the work that they're doing ...inaudible... Are we doing like - are we doing any resurfacing there or what - I forget what the...

Mr. Benekos: We have a grant from the OPWC (Ohio Public Works Commission) for a maximum of 1.5 plus change million dollars and that is to reconstruct the street - the street pavement, curbs and gutters, sidewalks. There is in the grant provisions for decorative elements such as lights and some brick elements. That will - we're revising the estimate that we have. That's basically a 50/50 grant so when we get into the full budget hearing I'll have that final estimate to you. Well it won't be a final it will be up to date estimate of where we're at and we'll see what those additional elements will cost and we'll see what you want to fund at that point. The legislation this evening to recapture any costs that we incur prior to that goes towards ...

Mr. DeOrio: And this is from south of Applegrove down to ...  
Mr. Benekos: Down to 7<sup>th</sup> Street.

Mr. DeOrio: Very good. And so when somebody calls and asks like the asphalt that we've put down there now, that's like to get us through like the winter...  
Mr. Benekos: Correct.

Mr. DeOrio: Until we decide where we're going to be in the spring?  
Mr. Benekos: That is correct.

Mr. DeOrio: Okay. And then I wanted to also compliment the Administration on the changing the light at Main and Mississippi.  
Mr. Wise: Schneider.

Mr. DeOrio: Schneider, I'm sorry, and putting in that turn. It has saved me from many instances of road rage or you know manic depression because I go there everyday twice a day and it really has made a difference. So I think it's a good thing. So thank you for taking the initiative on that. That's all. Thank you.

Mr. Revoldt: Mrs. Kiesling.  
Mrs. Kiesling: No report.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: I have a couple. One, did we get a Christmas card from Frank Perdue? I wasn't sure if he sent us one.

Mr. Revoldt: He's dead...

Mr. Snyder: Is he?

Mr. Revoldt: but his heirs...

Mr. Snyder: I was wondering. I didn't see it if we got one.

Mr. Revoldt: Actually we got one from the Colonel.

Mr. DeOrio: We did get one from those cows that say eat more chicken.

Mr. Snyder: No but one, as you know about three or four months ago, maybe four I don't remember exactly when, Mr. Albacete from the Canton Art Institute was here and asked for our assistance with a grant from our money. He has successfully at point fact today completed the second wave of students, 120 at a time, fourth and fifth graders at Greentown. And I apologize I don't know - he told me what school today, but they were bringing in boxes from cereal each three or four each and they built things from recycled material - the basis. And Mr. Albacete will be returning the first of the year asking if we still have a little bit more money to give him for that. It's a very successful program. It's a - the school system is very happy with it. The children are learning about recycling. Their parents were in attendance. He'll bring pictures. And so it's our grant money working the proper way starting with young children and teaching them how to recycle. So again, Mr. Albacete wanted to make sure I passed that on. He's very grateful and so is the school system for that assistance. That's all Mr. President.

## FINAL CALL FOR NEW BUSINESS:

Mr. Revoldt: Well this is last item on the agenda, our final call for business. Are there any last comments before we conclude our evening? Council and the Administration I know everyone is anxious to get out of here because with characteristic cat-like grace the internationally famous political



## RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 14, 7:00 p.m. 20 09

blogger, Martin Olsen has been here. And I just want to assure you that before he puts our images on the worldwide web he has promised me that he is going to digitally enhance each of our images. So on that happy and agreeable note I'll take a motion to adjourn.

## ADJOURN:

Mr. DeOrio moved and Mrs. Kiesling seconded to adjourn the council meeting. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0

The council meeting adjourned at 8:07 p.m.

  
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PRESIDENT OF COUNCIL

ATTEST:

  
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CLERK OF COUNCIL

1/8/09-gmk

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